

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
February 21, 2012

City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

I. CALL TO ORDER:

Mayor Patterson called the meeting to order at 7:08 p.m.

II. CLOSED SESSION:

III. CONVENE OPEN SESSION:

A. ROLL CALL

All Council Members were present.

B. PLEDGE OF ALLEGIANCE

Larry Fullington led the Pledge of Allegiance.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC

IV. ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:

A. ANNOUNCEMENTS

1. Announcement of action taken at Closed Session, if any.

Ms. McLaughlin reported that Council gave direction to Staff on item IV.A.

2. Openings on Boards and Commissions:

Building Board of Appeals
3 full terms
Open Until Filled

Solano Transportation Authority Pedestrian Advisory Committee
2 full terms
Open Until Filled

3. Mayor's Office Hours:

4. Benicia Arsenal Update: Verbal Update

There will be a subcommittee meeting on Thursday, 2/23/12.

B. APPOINTMENTS

1. **Appointment of Council Member Christina Strawbridge to the City Council Appointment Sub Committee for a term beginning March 1, 2012 and ending January, 2013.**

RESOLUTION 12-10 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF COUNCIL MEMBER CHRISTINA STRAWBRIDGE TO A CITY COUNCIL APPOINTMENT SUBCOMMITTEE FOR A TERM BEGINNING MARCH 1, 2012 AND ENDING JANUARY, 2013

On motion of Mayor Patterson Council adopted the Resolution, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

C. PRESENTATIONS

1. Solano Grand Jury Outreach -
Wayne Goodman, Solano County Grand Jury, Foreperson
2. Update on Tourism Marketing Program –
Jack Wolf, President of Wolf Communications

Jack Wolf, Wolf Communications, reviewed the presentation.

Public Comment:

Citizen - The Citizen inquired if Mr. Wolf invited the journalist (Jules and Effin Older) was invited to go to the Benicia Historical Museum during his visit. Mr. Wolf clarified that they were told about the museum.

D. PROCLAMATIONS

V. ADOPTION OF AGENDA:

Staff clarified that Item VII.H had an updated resolution (copy on file).

Council Member Schwartzman asked if item VII.B could be continued. He had a number of questions and had new information to discuss. He would like the item continued so Council could review the additional information and discuss it with Staff.

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the Agenda, as amended, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

VI. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

Mayor Patterson reviewed the five items submitted (copies on file).

B. PUBLIC COMMENT

1. Constance Beutel - Dr. Beutel discussed the upcoming BERT inauguration/training. She announced the upcoming forum being presented by the Community Sustainability Commission.

VII. CONSENT CALENDAR:

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the Consent Calendar, as presented, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

A. APPROVAL OF MINUTES OF THE REGULAR MEETING OF FEBRUARY 7, 2012

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council approved the minutes of the regular meeting of February 7, 2012, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

B. AUTHORIZE PURCHASE OF ONE (1) REPLACEMENT K9 POLICE PATROL VEHICLE WITH SLESF GRANT FUNDS

RESOLUTION 12-15 - A RESOLUTION AUTHORIZING THE PURCHASE OF A REPLACEMENT K9 POLICE PATROL VEHICLE UTILIZING SLESF FUNDS

Vice Mayor Campbell and Staff discussed the vehicle choices available.

Public Comment:

None

C. ACCEPTANCE OF LAKE HERMAN WATERLINE CATHODIC (ANTI-CORROSION) PROTECTION PROJECT

RESOLUTION 12-11 - A RESOLUTION ACCEPTING THE LAKE HERMAN WATERLINE CATHODIC PROTECTION PROJECT AS COMPLETE, INCLUDING APPROVAL OF CHANGE ORDER NO. 1, AUTHORIZING THE CITY MANAGER TO SIGN THE NOTICE OF COMPLETION, AND AUTHORIZING THE CITY CLERK TO FILE SAME WITH THE SOLANO COUNTY RECORDER

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the Resolution, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

D. ACCEPTANCE OF THE PLASTERING OF THE JAMES LEMOS DIVE POOL, INCLUDING CHANGE ORDERS

RESOLUTION 12-12 - A RESOLUTION AUTHORIZING THE DIRECTOR OF PARKS & COMMUNITY SERVICE TO EXECUTE, ON BEHALF OF THE CITY, CONTRACT CHANGE ORDERS AFFIRMING STAFF-AUTHORIZED COSTS WITH BURKETT'S POOL PLASTERING INC. OF RIPON, CALIFORNIA FOR CONSTRUCTION CONTRACT SERVICES FOR THE JAMES LEMOS DIVE POOL REPLASTERING PROJECT, AND ACCEPTING THE JAMES LEMOS DIVE POOL PLASTERING PROJECT AT 181 EAST J STREET, AUTHORIZING THE CITY MANAGER TO SIGN THE NOTICE OF COMPLETION AND CITY CLERK TO FILE SAME WITH THE SOLANO COUNTY RECORDER

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the Resolution, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

E. ADDITION OF FOOTNOTES TO WASTEWATER PRETREATMENT LOCAL LIMITS TABLE AS REQUIRED BY REGULATORY AGENCIES

RESOLUTION 12-13 - A RESOLUTION SETTING PRETREATMENT LOCAL LIMITS FOR POLLUTANTS CONTAINED IN WASTEWATER DISCHARGE

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the Resolution, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

F. SECOND READING OF AN ORDINANCE AMENDING SECTION 2.04.010 (MEETING TIME AND PLACE) OF CHAPTER 2.04 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE

ORDINANCE 12-1 - AN ORDINANCE AMENDING SECTION 2.04.010 (MEETING TIME AND PLACE) OF CHAPTER 2.04 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the Ordinance, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

G. ACCEPTANCE OF THE ANNUAL REPORT OF THE OPEN GOVERNMENT COMMISSION

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council accepted the Annual Report of the Open Government Commission, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

H. EMPLOYMENT EXTENSION REQUEST FOR INTERIM FINANCE DIRECTOR WILLIAM ZENONI AND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

RESOLUTION 12-14 - A RESOLUTION REQUESTING FROM THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AN EXTENSION OF TEMPORARY EMPLOYMENT UNDER GOVERNMENT CODE 21221(H) FOR INTERIM FINANCE DIRECTOR WILLIAM ZENONI

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the Resolution, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council authorized the amendment to the professional services agreement with William Zenoni, and authorized the City Manager to execute the agreement, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

I. Approval to waive the reading of all ordinances introduced and adopted pursuant to this agenda.

VIII. **BUSINESS ITEMS:**

A. **2012 AND 2013 ROAD RESURFACING PROJECTS**

Charlie Knox, Public Works & Community Development Director, reviewed the staff report.

Vice Mayor Campbell and Staff discussed what would happen after 2013.

Council Member Schwartzman and Staff discussed the franchise funds.

Council Member Hughes and Staff discussed the reports focus on the Industrial Park, concerns regarding the street conditions on lower Rose Drive, and the issue of traffic calming measures on Rose Drive.

Council Member Schwartzman and Staff discussed the suggestions made by Staff regarding traffic calming.

Mayor Patterson and Staff discussed the balance of the traffic calming funds for Rose Drive (Staff will provide Council with a status report.). They discussed the issue of lifecycle costing. She would like to see Staff (and possibly the subcommittee) to look into the issue.

Public Comment:

1. Larry Fullington - Mr. Fullington discussed the road conditions on Rose Drive.

Vice Mayor Campbell suggested adding to the motion, direction to have one of the commissions/boards (possibly EDB) to find future revenue sources after 2013.

On motion of Vice Mayor Campbell, seconded by Council Member Hughes, Council approved the 2012 and 2013 Road Resurfacing Projects, as amended, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

B. **APPROVAL OF AMENDMENT NO. 2 TO FEE DEFERRAL PAYMENT AGREEMENT - HOLIDAY INN EXPRESS**

Per the Adoption of the Agenda, this item was continued to the next Council meeting.

Public Comment:

1. Claire McFadden - Ms. McFadden discussed the economic uncertainty

businesses have been experiencing. She discussed the issues of business retention and business recruitment.

2. Hiten Suraj - Mr. Suraj thanked the City for their support with his project. He looked forward to discussing this issue with Council and Staff.

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council continued this item until the next regular meeting, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

C. Council Member Committee Reports:

1. **Mayor's Committee Meeting. (Mayor Patterson) Next Meeting Date: April 18, 2012**
2. **Association of Bay Area Governments (ABAG) <http://www.abag.ca.gov/> (Mayor Patterson and Council Member Strawbridge) Next Meeting Date: April 19, 2012**
3. **Finance, Audit and Budget Committee. (Vice Mayor Campbell and Council Member Strawbridge) Next Meeting Date: February 24, 2012**
4. **League of California Cities. <http://www.cacities.org/index.jsp> (Mayor Patterson and Vice Mayor Campbell) Next Meeting Date: April 19, 2012.**
5. **School Liaison Committee. (Council Member Hughes and Council Member Strawbridge) Next Meeting Date: April 5, 2012**
6. **Sky Valley Open Space Committee. (Vice Mayor Campbell and Council Member Schwartzman) Next Meeting Date: May 2, 2012**
7. **Solano EDC Board of Directors. (Mayor Patterson and Council Member Strawbridge) Next Meeting Date: March 21, 2012**
8. **Solano Transportation Authority (STA). <http://www.sta.ca.gov/> (Mayor Patterson and Council Member Schwartzman) Next Meeting Date: March 14, 2012**
9. **Solano Water Authority-Solano County Water Agency and Delta Committee. <http://www.scwa2.com/> (Mayor Patterson and Vice Mayor Campbell) Next Meeting Date: March 8, 2012**

10. **Traffic, Pedestrian and Bicycle Safety Committee. (Vice Mayor Campbell and Council Member Schwartzman) Next Meeting Date: April 19, 2012**
11. **Tri-City and County Regional Parks and Open Space. (Vice Mayor Campbell and Council Member Schwartzman) Next Meeting Date: March 12, 2012**
12. **Valero Community Advisory Panel (CAP). (Mayor Patterson and Council Member Hughes) Next Meeting Date: TBD**
13. **Youth Action Coalition. (Council Member Strawbridge and Council Member Hughes) Next Meeting Date: February 22, 2012**
14. **ABAG-CAL FED Task Force-Bay Area Water Forum. <http://www.baywaterforum.org/> (Mayor Patterson) Next Meeting Date: March 2012**
15. **SOLTRANS Joint Powers Authority. <http://www.sta.ca.gov/Content/10038/SolTrans.html> (Mayor Patterson, Council Member Hughes and Council Member Schwartzman) Next Meeting Date: March 15, 2012**

IX. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 8:04 p.m.

Lisa Wolfe, City Clerk